

RESOLUTION NO. 33-89

Resolution of the Board of Supervisors Approving the Financial Transactions of the Misty Mountain Domestic Water Improvement District; Ratifying the Superintendent's of Streets Advertisement for Proposals and Recording of Assessment; Authorizing the Superintendent of Streets to Certify the Assessment Roll and Execute the Construction Contract and Authorizing the Treasurer of Navajo County to Serve as Treasurer of the Misty Mountain Domestic Water Improvement District

WHEREAS, A.R.S. Section 48-1015 provides that the Board of Supervisors shall review and have veto authority over all financial transactions of the Board of Directors of a domestic water improvement district; and

WHEREAS, the Misty Mountain Domestic Water Improvement District has not and does not intend to levy an ad valorem tax on property in the District but does intend to assess property owners to pay for the costs of constructing a well and appurtenant facilities; and

WHEREAS, the District has initiated proceedings under A.R.S. Title 48, Chapter 6, Article 1 for the construction of a well and appurtenant facilities to serve the District; and

WHEREAS, the Board of Directors of the Misty Mountain Domestic Water Improvement District requested the Navajo County Superintendent of Streets to execute an Advertisement for Proposals which was posted and published as required by law; and

WHEREAS, the Board has tentatively awarded the contract to McCray Well Drilling Co., Inc.; and

WHEREAS, the Board has caused to be published the Notice of Award of Contract and no claims of irregularity have been filed with the Clerk of the Board of the District; and

WHEREAS, the District has levied assessments and held a hearing on the assessments on April 3, 1989 and no protests were received but a revision was made deleting the Hansen assessment, Assessment Number 7, from the assessment roll; and

WHEREAS, the Misty Mountain Domestic Water Improvement District has received a Letter of Conditions from Farmers Home Administration, dated July 26, 1988, regarding provision of a \$100,000 dollar loan if the District is unable to sell its bonds elsewhere; and

WHEREAS, the District has not charged user fees because it has not been able to provide water in the absence of a well, but the District does plan to charge fees to pay all Operation and Maintenance costs once water is available; and

WHEREAS, the Farmers Home Administration has approved the water rates to be charged; and

WHEREAS, A.R.S. Title 48, Chapter 6 requires the Treasurer of the County in which the domestic water improvement district is located to act as Treasurer for the domestic water improvement district upon sale of bonds; and

WHEREAS, Farmers Home Administration requires the Treasurer of the County to handle the funds for payment of the expenses involved in construction of the well, appurtenant facilities and incidental expenses and also to provide for the retirement of principal and interest on any bonds issued by the District.

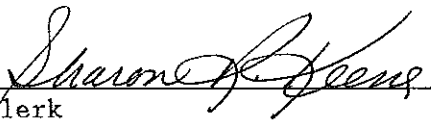
THEREFORE BE IT RESOLVED THAT:

1. The Board of Supervisors approves the financial transactions of the District in the hiring of an attorney, an engineer, a contractor, and the purchase of land for the well site and authorizes the District to issue not to exceed \$100,000 dollars in bonds and to assess the property owners an amount sufficient to retire such bonds in accordance with their terms.
2. The Treasurer of Navajo County is authorized to act as Treasurer for the Misty Mountain Domestic Water Improvement District in disbursement of bond proceeds and payment of principal and interest on the bonds issued by the District. However, the District will handle its own operation and maintenance expenses upon completion of the well and appurtenant facilities.
3. The actions of the Superintendent of Streets in Advertisement for Proposals and recording of the Assessment are ratified and approved.

ADOPTED this 17th day of April, 1989.


Chairman
Board of Supervisors

ATTEST:


Clerk

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